



<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				APPLICATION NO.: 09/337,584		ATTY. DOCKET NO.: C1039.70020US00		
				FILING DATE: June 21, 1999		CONFIRMATION NO.: 9169		
				APPLICANT: Krieg et al.				
				GROUP ART UNIT: 1645		EXAMINER: Nita M. Minnifield		
Sheet	1	of	5					

### U.S. PATENT DOCUMENTS

Examiner's Initials #	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or Issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
		7,034,007	B1	Nyce et al.	04-25-2006
		7,208,478		Carson et al.	04-24-2007
		7,223,398		Tusk et al.	05-29-2007
		7,223,741	B2	Krieg	05-29-2007
		7,271,156	B2	Krieg et al.	07-18-2007
		7,354,711	B2	Macfarlane	04-08-2008
	*	7,402,572	B2	Krieg et al.	07-22-2008
		7,410,975	B2	Lipford et al.	08-12-2008
		7,488,490	B2	Davis et al.	02-10-2009
		7,517,861	B2	Krieg et al.	04-14-2009
		7,524,828	B2	Krieg et al.	04-28-2009
		7,534,772	B2	Weiner et al.	05-19-2009
		2003-0027782	A1	Carson et al.	02-06-2003
		2006-0211639	A1	Bratzler et al.	09-21-2006
		2006-0211644	A1	Krieg et al.	09-21-2006
		2006-0229271	A1	Krieg et al.	10-12-2006
		2006-0241076	A1	Uhlmann et al.	10-26-2006
		2006-0246035	A1	Ahluwalia et al.	11-02-2006
		2006-0286070	A1	Hartmann et al.	12-21-2006
		2006-0287263	A1	Davis et al.	12-21-2006
		2007-0009482	A1	Krieg et al.	01-11-2007
		2007-0010470	A1	Krieg et al.	01-11-2007
		2007-0037767	A1	Bratzler et al.	02-15-2007
		2007-0065467	A1	Krieg et al.	03-22-2007
		2007-0066553	A1	Krieg et al.	03-22-2007
		2007-0066554	A1	Krieg et al.	03-22-2007
		2007-0078104	A1	Krieg et al.	04-05-2007
		2007-0129320	A9	Davis et al.	06-07-2007
		2007-0142315	A1	Forsbach et al.	06-21-2007
		2007-0184465	A1	Wagner et al.	08-09-2007
		2007-0202128	A1	Krieg et al.	08-30-2007

EXAMINER:  /N. M. Minnifield/ (08/01/2010)	DATE CONSIDERED:
--	------------------

# EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

\*copy enclosed for consideration of double patenting issues

<b>FORM PTO-1449/A and B (modified PTO/SB/08)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				APPLICATION NO.: 09/337,584		ATTY. DOCKET NO.: C1039.70020US00	
				FILING DATE: June 21, 1999		CONFIRMATION NO.: 9169	
				APPLICANT: Krieg et al.			
				GROUP ART UNIT: 1645		EXAMINER: Nita M. Minnifield	
Sheet	2	of	5				

		2007-0224210	A1	Krieg et al.	09-27-2007
		2007-0232622	A1	Lipford et al.	10-04-2007
		2008-0009455	A9	Krieg et al.	01-10-2008
		2008-0026011	A1	Krieg et al.	01-31-2008
		2008-0031936	A1	Krieg et al.	02-07-2008
		2008-0045473	A1	Uhlmann et al.	02-21-2008
		2008-0113929	A1	Lipford et al.	05-15-2008
		2008-0226649	A1	Schetter et al.	09-18-2008
		2009-0017021	A1	Davis et al.	01-15-2009
		2009-0060927	A1	Wagner et al.	03-05-2009
		2009-0155307	A1	Davis et al.	06-18-2009

#### FOREIGN PATENT DOCUMENTS

Examiner's Initials #	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
		WO	00/14217	A2	CPG Immunopharmaceuticals GMBH	03-16-2000	
		WO	00/67023	A1	CPG Immunopharmaceuticals GMBH	11-09-2000	
		WO	2008/030455	A2	Coley Pharmaceutical Group, Inc.	03-13-2008	
		WO	2008/033432	A2	Coley Pharmaceutical Group, Inc.	03-20-2008	
		WO	2008/039538	A2	Coley Pharmaceutical Group, Inc.	04-03-2008	
		WO	2008/068638	A2	Coley Pharmaceutical GMBH	06-12-2008	
		WO	2008/139262	A2	Coley Pharmaceutical GMBH	11-20-2008	

#### OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials #	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
		ARORA et al., Immunomodulation by liposome entrapped allergen. Mol Cell Biochem. 1990 Sep 21;97(2):173-9. Abstract Only.	
		GAVETT et al., Interleukin 12 inhibits antigen-induced airway hyperresponsiveness, inflammation, and Th2 cytokine expression in mice. J Exp Med. 1995 Nov 1;182(5):1527-36.	
		HUSSAIN et al., Modulation of murine allergic rhinosinusitis by CpG oligodeoxynucleotides. Laryngoscope. 2002 Oct;112(10):1819-26.	
		KIPS et al., Interleukin-12 inhibits antigen-induced airway hyperresponsiveness in mice. Am J Respir Crit Care Med. 1996 Feb;153(2):535-9.	
		KLINE et al., T-lymphocyte dysregulation in asthma. Proc Soc Exp Biol Med. 1994	

<b>EXAMINER:</b>  /N. M. Minnifield/ (08/01/2010)	<b>DATE CONSIDERED:</b>
---	-------------------------

# EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

\*copy enclosed for consideration of double patenting issues

<b>FORM PTO-1449/A and B (modified PTO/SB/08)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				APPLICATION NO.: 09/337,584	ATTY. DOCKET NO.: C1039.70020US00
				FILING DATE: June 21, 1999	CONFIRMATION NO.: 9169
				APPLICANT: Krieg et al.	
				GROUP ART UNIT: 1645	EXAMINER: Nita M. Minnifield
Sheet	3	of	5		

		Dec;207(3):243-53.	
		KLINÉ, J.N., Eat dirt: CpG DNA and immunomodulation of asthma. Proc Am Thorac Soc. 2007 Jul;4(3):283-8. Review.	
		KLINÉ, Immunotherapy of asthma using CpG oligodeoxynucleotides. Immunol Res. 2007;39(1-3):279-86. Review.	
		KLINÉ et al., Ch. 26: DNA Immunomodulation of asthma. In Inflammatory Mechanisms in Allergic Diseases. Ed., Zeiman et al. Marcel Dekker, Inc. 2002;551-64.	
		KLINÉ et al., Toll-like receptor 9 activation with CpG oligodeoxynucleotides for asthma therapy. Drug News Perspect. 2008 Oct;21(8):434-9.	
		MUTWIRI et al., Biological activity of immunostimulatory CpG DNA motifs in domestic animals. Vet Immunol Immunopathol. 2003 Jan 30;91(2):89-103.	
		ROMAN et al., Gene immunization for allergic disorders. Springer Semin Immunopathol. 1997;19(2):223-32. Review.	
		TAYYARI et al., CpG-oligodeoxynucleotides inhibit RSV-enhanced allergic sensitisation in guinea pigs. Eur Respir J. 2005 Feb;25(2):295-302.	
		Patent Interference No. 105,171. Regents of the University of California Opposition 11 (to Iowa Contingent Motion 11 to suppress). October 15, 2004.	
		Patent Interference No. 105,171. Iowa Reply 11 (in support of Iowa Miscellaneous Motion to suppress). (Electronically filed, unsigned). October 18, 2004.	
		Patent Interference No. 105,526. Krieg Substantive Motion 1 (for unpatentability based on interference estoppel). (Electronically filed, unsigned).	
		Patent Interference No. 105,526. Krieg Substantive Motion 2 (for judgment based on inadequate written description and/or enablement). (Electronically filed, unsigned). June 18, 2007.	
		Patent Interference No. 105,526. Krieg Contingent Responsive Motion (to add new claims 104 and 105). (Electronically filed, unsigned). July 25, 2007.	
		Patent Interference No. 105,526. Krieg Substantive Motion 3 (for judgment based on prior art). (Electronically filed, unsigned). June 18, 2007.	
		Patent Interference No. 105,526. Raz Motion 1 (Unpatentability of Krieg Claims under 35 U.S.C. § 112, First Paragraph). (Electronically filed, unsigned). June 18, 2007.	
		Patent Interference No. 105,526. Raz Motion 2 (Raising a Threshold Issue of No Interference-in-Fact). (Electronically filed, unsigned). June 18, 2007.	
		Patent Interference No. 105,526.. Raz Motion 3 (Krieg's Claims are Unpatentable Over Prior Art Under 35 U.S.C. § 102(b)) (Electronically filed, unsigned). June 18, 2007.	
		Patent Interference No. 105,526. Raz Motion 4 (To Designate Krieg Claims 46 and 82-84 as Corresponding to Count 1). (Electronically filed, unsigned). June 18, 2007.	
		Patent Interference No. 105,526. Raz Responsive Miscellaneous Motion 5 (To revive the Raz Parent Application) (Electronically filed, unsigned) July 25, 2007.	
		Patent Interference No. 105,526. Raz Contingent Responsive Motion 6 (To Add a New Claim 58) (Electronically filed, unsigned) July 25, 2007.	
		Patent Interference No. 105,526. Krieg Opposition 1 (Opposition to Motion for Lack of Enablement and Written Description) (Electronically filed, unsigned) September 10, 2007.	

EXAMINER: /N. M. Minnifield/ (08/01/2010)	DATE CONSIDERED:
--	------------------

# EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

\*copy enclosed for consideration of double patenting issues

<b>FORM PTO-1449/A and B (modified PTO/SB/08)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				APPLICATION NO.: 09/337,584	ATTY. DOCKET NO.: C1039.70020US00
				FILING DATE: June 21, 1999	CONFIRMATION NO.: 9169
				APPLICANT: Krieg et al.	
				GROUP ART UNIT: 1645	EXAMINER: Nita M. Minnifield
Sheet	4	of	5		

	Patent Interference No. 105,526. Krieg Opposition 2 (to Raz Motion 2) (Electronically filed, unsigned) September 10, 2007.	
	Patent Interference No. 105,526. Krieg Opposition 3 (To Raz Motion 3) (Electronically filed, unsigned) September 10, 2007.	
	Patent Interference No. 105,526. Krieg Opposition 4 (Opposition to Motion for Designating Claims 46 and 82-84 as Corresponding to the Court) (Electronically filed, unsigned) September 10, 2007.	
	Patent Interference No. 105,526. Krieg Opposition 6 (Opposition to Raz Contingent Responsive Motion 6) (Electronically filed, unsigned) September 10, 2007.	
	Patent Interference No. 105,526. Raz Opposition 1 (Opposing Krieg Substantive Motion 1) (Electronically filed, unsigned) September 10, 2007.	
	Patent Interference No. 105,526. Raz Opposition 2 (Opposing Krieg Substantive Motion 2) (Electronically filed, unsigned) September 10, 2007.	
	Patent Interference No. 105,526. Raz Opposition 4 (Opposing Krieg Contingent Responsive Motion to Add New Claims 104 and 105) (Electronically filed, unsigned) September 10, 2007.	
	Patent Interference No. 105,526. Krieg Reply 1 (Reply to Raz opposition 1) October 5, 2007	
	Patent Interference No. 105,526. Krieg Reply 2 (Reply to Raz opposition 2) October 5, 2007	
	Patent Interference No. 105,526. Krieg Reply 4 (Reply to Raz opposition 4) October 5, 2007	
	Patent Interference No. 105,526. Raz Reply 1 (Reply to Krieg opposition 1) October 5, 2007	
	Patent Interference No. 105,526. Raz Reply 2 (Reply to Krieg opposition 2) October 5, 2007	
	Patent Interference No. 105,526. Raz Reply 3 (Reply to Krieg opposition 3) October 5, 2007	
	Patent Interference No. 105,526. Raz Reply 4 (Reply to Krieg opposition 4) October 5, 2007	
	Patent Interference No. 105,526. Raz Reply 6 (Reply to Krieg opposition 6) October 5, 2007	
	Patent Interference No. 105,526. Krieg Miscellaneous Motion 5 (To exclude exhibits 2066, 2070, 2071, 2072, 2073, 2074, 2075, 2076 and 2078) October 9, 2007.	
	Patent Interference No. 105,526. Raz Opposition 5 (Opposing Krieg Miscellaneous Motion 5) October 25, 2007.	
	Patent Interference No. 105,526. Raz Miscellaneous Motion 7 (To exclude evidence) October 19, 2007.	
	Patent Interference No. 105,526. Krieg Opposition 7 (To Raz Miscellaneous Motion 7) October 25, 2007.	
	Patent Interference No. 105,526. Krieg Reply 5 (Reply to Raz opposition 5) October 30, 2007.	
	Patent Interference No. 105,526. Raz Reply 7 (Reply to Krieg opposition 7) October 30, 2007.	
	Patent Interference No. 105,526. Order – Bd.R. 104. Conference Call. Paper 211. September 30, 2008.	
	Patent Interference No. 105,526. Memorandum Opinion and Order (Decision on Motions) December 1, 2008.	
	Patent Interference No. 105,526. Judgement on Preliminary Motions under 37 C.F.R §41.127 December 1, 2008.	
	Patent Interference No. 105,526. Paper 217. Raz Notice of Filing of a Notice of Appeal (Appeal to the Court of Appeals for the Federal Circuit). January 27, 2009.	
	Patent Interference No. 105,526. Paper 219. Raz Notice of Withdrawal of Appeal. May 15, 2009.	

EXAMINER:  /N. M. Minnifield/ (08/01/2010)	DATE CONSIDERED:
--	------------------

# EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

\*copy enclosed for consideration of double patenting issues

<b>FORM PTO-1449/A and B (modified PTO/SB/08)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				APPLICATION NO.: 09/337,584	ATTY. DOCKET NO.: C1039.70020US00
				FILING DATE: June 21, 1999	CONFIRMATION NO.: 9169
				APPLICANT: Krieg et al.	
				GROUP ART UNIT: 1645	EXAMINER: Nita M. Minnifield
Sheet	5	of	5		

		Patent Interference No. 105,674. Paper No. 1. Declaration under 37 C.F.R. §41.203(b) December 1, 2008.	
		Patent Interference No. 105,674. Paper No. 6 Raz Notice of Real Party in Interest. December 12, 2008.	
		Patent Interference No. 105,674. Paper No. 11 Krieg Designation of Real Party in Interest. December 15, 2008.	
		Patent Interference No. 105,674. Paper No. 15. Order - Bd.R. 104(c) Summary of 12.23.2008 Conference Call.	
		Patent Interference No. 105,674. Paper No. 19. Order-Bd.R. 104(c). Conference Call. January 16, 2009.	
		Patent Interference No. 105,674. Paper No. 21. Raz Observations (regarding evidence to support certain proposed motions. January 27, 2009.	
		Patent Interference No. 105,674. Paper No. 23. Raz Miscellaneous Motion 1 (to revive the Raz parent application). January 27, 2009.	
		Patent Interference No. 105,674. Paper No. 25. Order - Bd.R. 104(c) (Raz v. Krieg) Summary of Conference Call on February 4, 2009.	
		Patent Interference No. 105,674. Paper No. 29. Joint Submission Pursuant to Order Dated January 16, 2009. March 11, 2009.	
		Patent Interference No. 105,674. Paper No. 32. Raz Abandonment of Contest. May 15, 2009.	
		Patent Interference No. 105,674. Paper No. 33. Judgment -Bd.R.127. May 20, 2009.	

[NOTE – No copies of U.S. patents, published U.S. patent applications, or pending, unpublished patent applications stored in the USPTO's Image File Wrapper (IFW) system, are included. See 37 CFR §1.98 and 1287OG163. Copies of all other patent(s), publication(s), unpublished, pending U.S. patent applications, or other information listed are provided as required by 37 CFR §1.98 unless 1) such copies were provided in an IDS in an earlier application that complies with 37 CFR §1.98, and 2) the earlier application is relied upon for an earlier filing date under 35 U.S.C. §120.]

EXAMINER:  /N. M. Minnifield/ (08/01/2010)	DATE CONSIDERED:
--	------------------

# EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

\*copy enclosed for consideration of double patenting issues

1620408.1

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /NMM/